THE HON'BLE SRI JUSTICE V.V.S.RAO
AND
THE HON'BLE SRI JUSTICE G.V.SEETHAPATHY

WRIT PETITION No.9189 of 2002

Dated:07.06.2007

Between:

Yalem Narsimham, S/o.Muthaiah.

…Petitioner

and

The Mandal Revenue Officer, Cherla Mandal, Cherla, Khammam District, and others.

…Respondents

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AND
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ORDER: (Per the Hon'ble Sri Justice V.V.S.Rao)

The petitioner is a scheduled tribe. He was granted a ryotwari patta under the Andhra Pradesh (Scheduled Areas Ryotwari Settlement) Regulation, 1970 (Regulation II of 1970), in respect of the land admeasuring Ac.1.62 cents in Survey No.4/U situated at Ricepeta Village of Cherla Mandal in Khammam District. He also obtained necessary pattadar passbooks and title deeds. It appears, on 30.04.2002 the third respondent occupied the land and started raising construction. The petitioner's son gave a complaint to the second respondent for necessary redressal, in vain. Therefore, in this Writ Petition the petitioner seeks, *inter alia*, a direction to the second respondent to take action against the third respondent and restore possession of the land. It is also the grievance of the petitioner that though the complaint is given, the same was not registered against the third respondent.

The respondents have not filed any counter affidavit. Learned Government Pleader, however, submits that the counter affidavit has been prepared and duly signed by the first respondent. He submits that in response to the complaint given by the petitioner, the first respondent deputed the Mandal Revenue Inspector, who inspected the land and stopped the construction. He also submits that the third respondent gave an undertaking agreeing not to proceed with the construction.

There is no appearance for the third respondent, though a vakalat is filed on his behalf. Therefore, we dispose of the Writ Petition observing that respondents 1 and 2 may take further necessary action on the complaint given by the

petitioner, if the possession is not already restored to the petitioner. It is also open to the petitioner to approach the Police for necessary action and to file a criminal case against the third respondent, if so advised.

The Writ Petition is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

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(G.V.SEETHAPATHY, J)

07.06.2007
vs